

1635



Atty. Dkt. No. P66141US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Karl Herman SCHLINGENSIEPEN et al.

Serial No.: 09/701,583

Examiner: Jane J. Zara

Filed: February 5, 2001

Group Art Unit: 1635

For A METHOD FOR STIMULATING THE IMMUNE SYSTEM

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AMENDMENT AND RESPONSE TO NOTICE TO COMPLY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The instant paper responds to the Notice to Comply with requirements for biological sequences attached to the office communication mailed June 3, 2003, a copy of which is attached hereto.

IN THE CLAIMS

Rewrite claim 10 as follows:

10. (Amended) An oligonucleotide having one of the sequences of SEQ ID NOS: 55-213.

REMARKS

Claims 1-13 are pending.

Claim 10 is amended to insert the acceptable terminology for sequence identifiers.

According to the Office communication (page 2): "No CRF or paper sequence listings have been provided in the instant application." The office communication is incorrect.

First of all, a Sequence Listing is part of the original application as filed.

Secondly, in response to the Notice to Comply mailed 24 July 2001, Applicants timely filed (on September 24, 2001) a "Response", including (1) copy of the Notice to Comply, (2) CRF of substitute Sequence Listing, (3) paper copy of substitute Sequence Listing, and (4) Amendment entering the Sequence Listing into the specification (i.e., by replacing the sequence listing originally filed with the subject application).

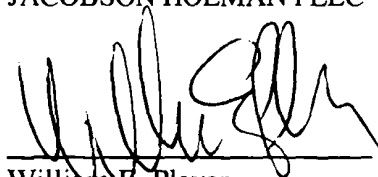
Attached, hereto, is a complete copy of the response papers and CRF filed September 24, 2001, in the PTO and a copy of the corresponding date-stamped PTO receipt card.

Favorable action is requested.

Respectfully submitted,

JACOBSON-HOLMAN PLLC

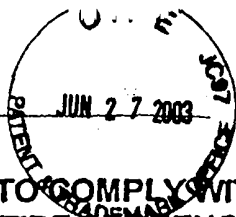
By:



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WEP/jmp

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AF

App<sup>n</sup>ation No.: 09/701,583

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: PLEASE Provide seq ID Nos To Sequence.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

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Attorney Docket No. P66141US0  
Serial No.: 09/701,583

COPIES OF  
PAPERS AND CRF FILED SEPTEMBER 24 2001 AND  
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JH Ref P66171480 Today's Date 9-21-01  
Serial/Patent No. 097701 583  
Applicant, Patentee, Assignee SCHULTZ REN, STEPHEN C  
Filing Date/Patent Date 2-5-01

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> _____ pp. Specification & _____ Claims	<input checked="" type="checkbox"/> Response to Office Action
<input type="checkbox"/> Combined Declaration, Power of Attorney	<input type="checkbox"/> Disclosure Statement-IDS
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Copies of References
<input type="checkbox"/> Rule 53 (b) Application	<input type="checkbox"/> Request for Refund
<input type="checkbox"/> Rule 53 (b) / PCE Application	<input type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> Claim to Priority and Certified Copy	<input type="checkbox"/> Petition for XOT
<input type="checkbox"/> Substitute <input type="checkbox"/> Subsequent Declaration	<input type="checkbox"/> Notice of Appeal/Brief
<input type="checkbox"/> Maintenance Fee	<input type="checkbox"/> Sequence Listing
<input type="checkbox"/> Drawings _____ Sheets _____ Formal _____	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Assignment/Change of Name	Other _____
<input type="checkbox"/> Small Entity Declaration	
<input type="checkbox"/> Check for \$ _____	

JH 5/01 DUE DATE 9/24/01  
Person filing 438/100

**COPY**

**SEP 24 2001**  
PATENT & TRADEMARK OFFICE

JACOBSON HOLMAN PLLC  
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